

A/
and
B

a treatment column having a fourth outlet and having a third inlet coupled to said third outlet for conveying the [solution] raw permeate therethrough for producing a purified permeate, with at least a portion of the predetermined component removed, at said fourth outlet; ~~heat exchanger~~ means connected to said fourth outlet and to said [third] ~~second~~ outlet for combining the entire purified permeate with the retentate to produce a treated solution.

REMARKS

A petition for a three month extension of time accompanies this amendment and response. Also submitted herewith is a proposed amendment to the drawings which adds element numbers 490 and 500 to Figure 3. No new matter is added by the addition of element numbers 490 and 500 since they merely designate pre-existing illustrated elements. Moreover, reference is specifically made to element numbers 490 and 500 starting at page 14, lines 5-6, of the present specification.

Figure 3 was objected to in the subject Office Action. The objection is obviated by acceptance of the proposed amendment to the drawings. Acceptance is respectfully requested.

Claims 1-11 have been rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite. The Examiner's suggestions have been followed and this rejection of claim 1 and the claims dependent therefrom is overcome.

The remaining rejection of claims 7 and 9-11 under Section 112 is traversed. The Examiner contends that the limitations recited in claims 7 and 9-11 are method limitations which fail to limit the subject matter of the previous apparatus claims in terms of positive structure. Applicants respectfully disagree.

Claim 7 recites, among other things, that the "base hydrolyzing means comprises a region of high pH in said treatment column." This is clearly a structural or compositional limitation. Although the base hydrolyzing means is capable of performing a function, i.e., hydrolyzing a base, it is still a structure. By analogy, it cannot legitimately be contended that pivoting means is a method step because it can perform a pivoting step in the operation of some device. The recitation of "a region of high pH in said treatment column" further defines the